

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72960 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- RANIYATALAB District- Patna

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SIDHESHWAR YADAV @ SIDESHWAR YADAV SON OF LATE
SARYUG YADAV RESIDENT OF VILLAGE - SAIDABAD, P.S. -
RANITALAB, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with Rani Talab P.S. Case No. 63 of 2023 for the offence punishable under Sections 304(b)/201/34 of the Indian Penal Code lodged on 28.2.2023 by the informant, Mohan Yadav Singh.

3. As per the prosecution story, the allegation is that the informant's daughter was married to Mantu Kumar but the in-laws were demanding dowry and further she was killed and the mortal remains were consigned to flames. Accordingly, the FIR.

4. It is the case of the petitioner that he is uncle Mantu Kumar, living separately from the family, do not have criminal antecedent, is an aged person of 66 years and has



already suffered by being in custody since 29.6.2023 (para-10 of the petition).

5. Learned APP opposes the prayer stating that the allegation against him is also part and parcel of the crime.

6. Taking into account the aforesaid submission put forward by the learned counsel for the petitioner as also the fact that he is uncle of the deceased's husband, Mantu Kumar and is in custody since 29.6.2023, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-I, Danapur, Patna, in connection with Rani Talab P.S. Case No. 63 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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